

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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Attorneys for Defendant, Merck & Co., Inc.

MICHAEL T. KOZAK,

Plaintiff,

vs.

MERCK & CO., INC.,

Defendant.

Hon. Ronald L. Buckwalter, U.S.D.J.

Civil Action No. 04-02161 (RB)

**STIPULATION OF
VOLUNTARY DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, between the plaintiff, Michael T. Kozak, and the defendant, Merck & Co., Inc., through their respective undersigned counsel, that this action is voluntarily dismissed by the plaintiff, with prejudice, and without any costs or attorneys' fees being awarded to one party as against the other.

BRUCE PREISSMAN, ESQ.
Attorney for Plaintiff

CONNELL FOLEY LLP
Attorney for the Defendant

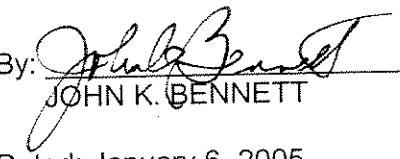
By:



BRUCE PREISSMAN, ESQ.

Dated: January 11, 2005

By:



JOHN K. BENNETT

Dated: January 6, 2005